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Attorney for Defendants Jianfeng “Jeff” Chen and Amedica Biotech, Inc.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EXPRESS DIAGNOSTICS INT. Inc,
an Iowa Corporation

No. 06 1346 JW (PVT)

Plaintiff,

vs

Barry M. Tyding, an Individual; Merina T.
Kisera, an Individual, Zyon International,
Inc. a Nevada Corporation; Premium
Diagnostics Int’l Inc., a Nevada Corporation;
James G. Hipple II, an Individual; Drug Free
Workplace Administrators, Inc., a Nevada
Corporation; Jianfeng “Jeff” Chen, an
Individual, Amedica Biotech, Inc.; a
California Corporation; Patrick A. Beentjes,
an Individual; Twin Spirit, Inc., a Nevada
Corporation, Steven Alan Speares,
an Individual, and Spears Medical, Inc.,
a So. Carolina Corporation
and Does 1-50

APPLICATION FOR ORDER
SHORTING TIME & PROPOSED
ORDER

Defendants

TO HONORABLE JAMES WARE:

Defendants Jianfeng “Jeff” Chen and Amedica Biotech, Inc. make this Application for an Order Shorting Time to hear their motion for to Transfer or Dismiss. In support of the Applicants show to this Honorable Court as follows:

1. Defendants Beentjes and Twin Spirits have a motion to Transfer or Dismiss [Beentjes

APPLICATION FOR AN ORDER SHORTING TIME TO HERE MOTION TO TRANSFER AND
OR DISMISS

1 Motion] calendared for September 18, 2006 before this Court.

2 2. The relief sought by the Beentjes Motion is the same as the relief sought by the
3 Applicants' motion.

4 3. Applicants filed their motion on August 23, 2006 and served it electronically on the
5 plaintiff.

6 4. Plaintiff has not yet responded to the Beentjes Motion.

7 5. Since there are common issues of law and fact in the Beentjes Motion and the
8 Applicants' motion, judicial economy occurs if the two motion are heard together on
9 September 18, 2006.

10 6. Applicants' Motion is not calendared in accordance with the current Local Rules
11 requiring 35 days –it being 9 days short of the 35 day requirement.

12 6. Under the circumstances plaintiff will not be prejudiced in responding to both motions
13 simultaneously.

14 7. The alternative is to reset both motions to a later date.

15 Dated: August 25, 2006

16 Respectfully Submitted

17 /s/ Joseph L. Strabala

18 Joseph L. Strabala
19 Attorney for Applicants Defendants Chen & Amedica

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Plaintiff,

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an Individual, and Spears Medical, Inc.,
a So. Carolina Corporation
and Does 1-50

Defendants

No. 06 1346 JW (PVT)

(Proposed)

ORDER SHORTING TIME
FOR HEARING ON MOTION
TO TRANSFER OR DISMISS

ON APPLICATION of Defendants Jeff Chen and Amedica Biotech Inc. for an order shorting
time for a hearing on their motion to Transfer and/or Dismiss filed and served on August 23, 2006, good
cause existing:

IT IS HEREBY ORDERED

1. The time for hearing Defendants Jeff Chen and Amedica Biotech Inc. Motion to Transfer
and/or Dismiss is shortened by 9 days and is calendared for hearing on September 18, 2006 to be heard

ORDER SHORTING TIME FOR HEARING ON MOTION TO TRANSFER OR DISMISS

1 with the motion of defendants Beentjes and Twin Spirits, Inc. to Transfer or Dismiss, now calendared
2 for September 18, 2006

3
4 Date: August __, 2006

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6 James Ware
United States District Judge for the
Northern District of California
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ORDER SHORTING TIME FOR HEARING ON MOTION TO TRANSFER OR DISMISS